THE HOMESTEAD BILL.

SPEECH

OF

HON. M. S. WILKINSON, OF MINNESOTA.

In the Senate of the United States, on the 3d of April, 1860, the homestead proposition was called up, and was discussed as in Committee of the Whole. There were two bills under consideration; the one, a bill reported from the House of Representatives, and the other, a bill substituted for it by the Senate Committee on Public Lands. Mr. FITCH, of Indiana, offered the following proviso as an amendment to the first section of the House bill:

"*Provided*, That the lands hereby granted 'shall be entered or located in alternate quar-'ter sections; and that the quarter sections, or 'parts of quarter sections, of land which shall 'remain to the United States, and not subject 'to entry under the provisions of this act, shall 'not be sold for less than double the minimum 'price of the public lands when sold: *And* '*provided, further*, That the provisions of this 'act shall be applicable only to land subject to 'private entry at the date of its passage."

Mr. WILKINSON, of Minnesota, replied, as follows:

Mr. PRESIDENT: I am entirely opposed to the amendment just offered by the Senator from Indiana, [Mr. FITCH.] Should it be adopted, it would have a serious tendency to impair the usefulness of this measure. But it is only a natural and necessary deduction from one of the provisions of the Senate bill. To that bill I had intended to speak; but that bill and the House bill are both, in one sense, before the Senate; and I suppose that it will make very little difference to which of them I may address my remarks.

The measure of granting free homes to the actual settlers upon the public lands is one in which I have long felt a deep interest. I have passed many years of my life among the hardy settlers of new States and Territories, and I have thus had frequent opportunities to become familiar with the practical workings of our present land system, both in its application to the settler and to the Government. I have seen large swindling speculations attempted, and in some instances carried out, by which whole townships were secured by a single individual or company under the pre-emption law, and by which the settler was seriously oppressed on the one side, and the Government irretrievably defrauded on the other. I have travelled for miles and miles over the rich plains of my own State, where every inch of the land was entered under the pre-emption law, and when there was not on the face of the country a single evidence of cultivation, improvement, or occupancy.

Under the existing practice, the spirit of land speculation has become so common among our people, and the desire for the acquisition of large quantities of land so strong, that but little attention is paid to the salutary and necessary safeguards which Congress has seen fit to throw around the law. The present system, designed and established in a spirit of national justice, has entirely failed to meet the end of its authors, simply because the foundation on which it rests is laid in error. The Government itself turns land monopolist, and seeks to replenish its Treasury from the proceeds of a traffic in the public lands. While the domain is regarded only as a source of revenue, no great care can be felt for the faithful execution of the law, so long as the primary object of selling the lands is attained.

The faithful observance of the land laws has become the exception, and their violation the rule. Government traffics and speculates in the public lands, and why should not the people?

In view of these facts, I have looked anxiously for a change in some shape; and it is with peculiar gratification that I see that change proposed in the shape of a homestead bill.

The original bill, as reported to the Senate from the House of Representatives, would receive my hearty concurrence. But it seems to have been met by a strong opposition in this body. Our Committee on Public Lands report it to us altered in manner and in essence, and it has now been compressed into the form of a Senate bill, introduced by the Senator from Tennessee, [Mr. JOHNSON.] This bill, while it recognises the justice of the general principle, appears to me to lack the force and vitality of a practical measure.

This I say with all deference to the gentlemen who have drawn up that proposition in its present form. They have acted upon their own convictions of propriety, and it may be of expediency; but I must repeat that, in my judgment at least, the Senate bill does not reach the real merits of the case; that it does not cover the whole ground, and that it is loaded down with

provisions and restrictions which will seriously tend to destroy its efficiency and usefulness before the country.

Some of its restrictions are illiberal, when *liberality* should be the most distinguishing feature of such a bill. Some of its provisions would seek to create a distinction between persons and classes; when the real purpose of such a bill should be, to furnish homes for *all* of our citizens, present and prospective, who may be willing to settle upon the public domain. These objections seem to me so obvious, that I am extremely desirous that the Senate should agree to the House bill, or to such amendments as would bring us back to that original proposition. At all events, a full and friendly discussion should be had upon the merits of the whole subject.

I am told that the framers of the Senate bill anticipated serious difficulties; that they judged it necessary to attempt a kind of compromise between the friends and the opponents of the measure; and that they were compelled to draft their proposition in this manner, so as to render it acceptable to all parties. I must confess, that I, for one, did not expect any considerable resistance to be made. The measure of granting *free homes* to actual settlers upon the public lands embraces a policy *so wise*, *so just*, and *so humane*, that I am at a loss to conceive why it should be steadily and persistently opposed by any leading member of any party. Least of all did I suppose that its defeat would be attempted by a resort to parliamentary *legerdemain*. My surprise, therefore, was natural and great, when the Senator from North Carolina [Mr. CLINGMAN] the other day offered the following amendment:

"Strike out, in the first section, the words ''to enter one quarter section of vacant and 'unappropriated public lands, or a quantity 'equal thereto, to be located in a body, in con-'formity with the legal subdivisions of the 'public lands, and after the same shall have 'been surveyed,' and insert, in lieu thereof, 'to 'have issued to him or her, by the Commis-'sioner of Public Lands, a warrant for one 'hundred and sixty acres of land, to be located 'in the same manner as that under which the 'bounty land warrants heretofore issued have 'been located, on any of the public lands of 'the United States subject to entry, the appli-'cant being required to make proof, in support 'of his claim, in such manner and under such 'regulations as may be prescribed by the Sec-'retary of the Interior;' so as to make the sec-'tion read:

"That any person who is the head of a fam-'ily, and a citizen of the United States, shall, 'from and after the passage of this act, be 'entitled to have issued to him or her, by 'the Commissioner of Public Lands, a war-'rant," &c.

In his speech in defence of this amendment, the Senator told us frankly that he was opposed to the whole scheme of giving away the public lands. He could not have laid before us a stronger proof of his opposition. His amendment is impracticable upon its face; and its only effect would be to defeat and destroy all chances of an operative homestead bill.

The Senator went on to say, that he regarded the measure of granting homes to the actual settlers upon the public lands in precisely the same light with a donation of money from the Federal Treasury. Having assumed this position, he endeavored to deduce that we would commit an act of direct injustice in limiting the benefits of this grant to those who reside upon the lands; or, in other words, in requiring actual settlement and occupancy as the necessary conditions upon which the grant shall be made.

Thus, he reasoned that the rights of many citizens would be impaired, because many citizens might not choose to avail themselves of a general privilege, common to all. Sir, if the Senator is sincere in his position; if he has really stated his views and his intentions; if he can see in this measure nothing higher or greater than a mere donation of money from the Federal Treasury; if he considers a just and meritorious and expedient movement as a simple expression of charity; if, in short, his range of vision is confined to this near and narrow prospect; then, sir, I must think that he does not fully understand the principles involved; then, sir, I must believe that he does not altogether comprehend the magnitude of the question; then, sir, I must say that he does not properly appreciate either the causes or the effects of our proposed policy.

I cannot reply better to the Senator from North Carolina than by quoting from a speech delivered in this body on the 18th of July, 1854, by Hon. LEWIS CASS, then a Senator from Michigan. A homestead proposition was before the Senate, and was being discussed, and a Senator from Louisiana, [Mr. BENJAMIN,] still a member of this body, urged very nearly the same objection which has now been presented by the Senator from North Carolina. In reply to it, Mr. CASS spoke. I read from the Appendix to the Congressional Globe, Thirty-third Congress, first session, page 1088:

"The Senator from Louisiana seems to con-'sider this project of granting lands to actual 'settlers as very unequal and unjust, and, I 'might almost say, dishonest. This objection, 'whatever force it possesses, is just as applica-'ble to all preceding grants to actual settlers 'as to the proposed one, and, of course, con-'demns the repeated action of Congress upon 'this subject since the foundation of the Gov-'ernment. But why is it unjust? I confess 'I listened to the assertion with much surprise. '*It is unjust because all will not take advan-'tage of it.* This, to me, is a strange objec-'tion. If a system of policy is honest, just, 'and equal, in itself, and constitutional, it is 'worthy to be adopted, though all may not be 'willing to accept the advantages it offers. 'What constitutes the justice of such a meas-'ure is its perfect equality; and that equality 'is not at all affected, because there are men 'so well situated in life that they do not need

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'the benefits it holds out. This bill offers 'grants of land to every settler. It looks to no 'distinction. Has, therefore, a wealthy man 'in one of the old States a right to say, I am 'rich; I do not intend to emigrate, and there-'fore your law is an unjust one, because it 'makes provisions for others which is of no 'use to me? There is neither reason nor con-'stitutional principle in such an objection."

Such was the opinion of LEWIS CASS; and the Senator from North Carolina will perceive that his objection is not only ancient and stale, but that it comes to us with the weight of a triumphant refutation upon its head. I repudiate entirely the untenable idea that the grant proposed would be in any sense a charity. Men in power are very fond of telling us that "*the Government is not intended to be a mere charitable institution.*" Will they not go a little further, and admit that it is not intended to be a monopolist and a speculator?

The proposed measure embodies a manifestation of national justice, of national right, and of national wisdom. It is the duty of a good Government so to dispose of the public lands—the property of the whole country—as to promote the undoubted interests of the whole country.

Here we have the solution of the problem, and here we may finally dismiss the mistaken supposition of charity. In my opinion, this Government should acknowledge, formally and officially, the distinct natural truth, that the wild, uncultivated lands of the nation belong, and of right ought to belong, to him who resides upon them, subdues them, and cultivates them. It is but a common principle in equity to which we are giving expression.

The adoption of a wise and liberal homestead bill by Congress would be a virtual abolition of all landed monopoly within the United States, whether such monopoly be practiced by the Government itself, or by any of its citizens. I need scarcely remind the Senate that the monopoly of land by the few, as against the many, and the parcelling out of public domains in immense tracts among venal courtiers, have been, all over the world, the most powerful auxiliaries of absolute and despotic power. Thus the monarchies and aristocracies of all ages have been enabled to hold the masses subject to their will; thus millions of the human family have been reduced to penury and degradation, because they were deprived of the right to earn their subsistence from the common earth, which was intended alike for the rich and for the poor. Ireland, with her great mass of population, having scarcely the means of life, and depending for daily bread upon soulless and haughty aristocrats—Ireland, the masses of whose people are not masters of ground enough to stand upon—has been frequently cited as an instance of that cruel injustice which must always result from great landed monopolies. Out of her six million inhabitants, not more than one in every six thousand is the owner of even an inch of land, or has any legal right to earn his subsistence from the soil. Here I point to a most indisputable record.

Our present land system has a direct tendency to increase the spirit of monopoly and speculation, by putting up large tracts of land at public auction, and inviting the capitalist to purchase as much of the national domain as he may desire. This practice, if tolerated, may yet become a fruitful source of misery and oppression, even in our own free and enlightened country. Even now, with all our vast expanse of territory, labor is outweighed by capital, and the rights of the settler are but slightly regarded, when brought into comparison with the money of the speculator. Thus far, the course of the Government has been in a wrong direction; and the sooner it is changed, the better. For my part, I am clearly of the conviction that it should adopt a policy far older than the nation itself, and decree that "the land shall be sold no more forever." I would wish the Government, in its humanity and in its wisdom, to ordain that "the people go and inherit the land," and that the public domain should be granted, in limited quantities, to every man who is anxious to earn an honorable living by the cultivation of the soil. I would have Congress, in its homestead bill, address itself to the laboring masses of the country; to those who are so often crushed down by the cruel and unequal conflict between capital and labor; to the poor man, who earns his bread from day to day by the sweat of his brow; to him who feeds upon the uncertain crumbs which fall from the rich man's table—to these, I repeat, I would have this proposition addressed. I would have the Government say to these persons, "There is yet a vast unsettled domain for your occupancy; take it, live on it, inherit it, cultivate it, and it shall be yours forever." "And when," as was said by a distinguished member of the House of Representatives, a few years ago, "the poor man is put 'in possession of his portion of this vast do-'main, and is secured by the strong arm of the 'Government in the enjoyment of a home from 'which not he nor his wife nor his children can 'be driven, then is he raised above poverty, not 'only in his possession of the land, but still 'more by the virtues which he cultivates in his 'heart whilst he tills the soil. Then, too, he 'no longer ministers to the undue accumula-'tion of wealth by others, as he did when ad-'vantage was taken of his homeless condition, 'and he was compelled to serve for what he 'could get."

Sir, my objections were against the Senate bill. I supposed, from the course which has been heretofore taken, that it would come up to-day, and had intended to offer some amendments, for the purpose of removing its objectionable features. In the first place, the Senate bill excludes from the benefit of its provisions all young, unmarried men; it is expressly confined to heads of families. I do not understand why a bill of this description should be less broad in its application than the present pre-emption laws. I do not recognise the pro-

priety of abolishing one evil for the mere purpose of substituting another. I certainly regard it as very unwise—and, I might say, unjust—to exclude all unmarried men from the benefits of such a bill. As the Senate bill now stands, they are entirely cut off from all its advantages. The effect of this provision, taken in connection with the clause limiting the operations of the bill to lands subject to private entry, would be to shut out entirely the early settlers—those who go first into the unpeopled West—and reserve its benefits in store for the multitudes that may flock in after the toils and dangers and inconveniences of pioneer life have passed away. Such a restriction would be marked by the most decided impropriety and manifest unfairness; and I was surprised to hear the Senator from Ohio, [Mr. PUGH,] a Western man, advocate the Senate bill for this very reason.

The men who emigrate in youth to the Western country, to build up for themselves a fortune and a reputation, are the men of all others to whom the most liberal provisions of this act should apply. We need their services. They are, in plain fact, the vanguard of civilization upon this continent. They penetrate the wild solitudes, far beyond the safety and comforts of society. They traverse and explore regions in which, for the time being, families could not reside securely. They pitch their tents, build their houses, break up and improve the soil, and open the broad acres to occupancy and culture. They furnish a more sure and perfect protection to our Western frontier than can be given by all the armed soldiers along the border line. Coming mostly from the different States of the Union, they bring with them a deep and permanent attachment to the institutions of our country; and, as settlements advance, they organize municipal governments, and lay the foundation of future States. Such are some of their labors and dangers; such are some of their achievements. Why, then, in the name of fairness and of common sense, should this class of active and energetic young men be entirely ignored and cast aside by the Senate bill?

Laws, in order to be just, must be *equal* in their application; and I regard the Senate bill, in the provision of which I speak, as partial, unequal, and unjust.

It may be that the authors of the bill intended that this exclusion of young men without families from the benefits to be conferred should of itself operate as an active encouragement to matrimony among our people. I have no doubt that they agree with me in believing early marriages to be productive of great moral good in a community; but I must be excused for thinking that their proscriptive policy fails of its object, and does not furnish the proper encouragement. If the restrictive clause were to apply only to the sons and daughters of those early pioneers who emigrated many years ago to the frontiers, and who have grown, with growing States, into prosperity and wealth; if it were to apply only to those children who have inherited from their parents both the spirit of adventure and the frame to sustain hardships—if these were the only persons to be affected, this clause would not be so entirely objectionable. But not all women can endure the same privations. While the forest is yet to be felled, and the humble cabin is yet to be erected, the great majority of the women of our country are too frail to join in the struggles and hardships of the early settler. Sir, this bill should look beyond an immediate benefit. If properly devised, it will be for the interest of the masses; it will be for the interest of society at large, and of that high morality upon which all society ought to rest. It will advance the cause of suffering humanity everywhere. These are the ends which the guardians of the nation's weal should seek, in discharging the high trust reposed in them.

Pass through our great cities. See the boys of all ages who swarm around the streets—many of them willing and anxious to labor, but finding nothing for their hands to do. See them exposed to temptations of every kind; day after day looking upon the equipages of wealth with the hungry and cannibal eye of poverty. Who does not wish that these boys might be rescued from the constant strife between vice and virtue, in which vice so often obtains the mastery? Let them be told that there is labor for them. Let them be told that they can go to the fertile lands of the West, and conquer a possession from the wilderness by the force of their own exertions.

We shall have less need for the erection of prisons; we shall have less occasion for the maintenance of houses of refuge. And when the ambition of the settler has been attained, when his task has been accomplished, when the cabin has been built, when the rich earth has begun to yield her abundant fruits, then the young settler will require no stimulating legislation to drive him into matrimony. He will feel for himself the necessity of a partner and a helpmeet in his free home, won by his own toil. Nature legislates in these cases better than man. Rely upon it, sir, that we shall act wisely in extending the benefits of the bill to all unmarried men.

Now, sir, I come to another objection against the Senate bill. It will operate unjustly as to our foreign population. In this particular, it falls far short of the liberality of the pre-emption laws themselves. On this account, too, I was surprised that the Senator from Ohio should announce that he favored the Senate bill.

Mr. PUGH. The Senator is mistaken. That is a point which I have suggested to the Senator from Tennessee; that the Senate bill escaped my attention. I wish to amend it in that; but if it will not interrupt the Senator, I will make a suggestion on the point he has just left. The object of confining the Senate bill to heads of families is to prevent fraud, with which the Senator must certainly be familiar, under the operations of the pre-emption act. The Senate bill does not affect the operation

of the pre-emption act, or graduation act, or the special law for Kansas and Nebraska, which permit settlement under the pre-emption law upon unsurveyed lands; so that these young men may go forward and make their claims under the pre-emption law, and they are not even called upon to pay for it until proclamation and public sale is made at the interval of five or six years. Therefore, the effect of the Senate bill is simply to make, not an exclusion, but a distinction between the head of a family and an unmarried man, and precisely that distinction exists in every donation law we have ever adopted—in the Oregon act, the New Mexico act, and the Florida act. The Senate committee have not departed from the principles heretofore adopted.

Mr. WILKINSON. I would say to the Senator, that the provision for which I contend is precisely the same as that adopted by the policy of the pre-emption law. That law extends its privileges to all citizens, present or prospective, married or unmarried, who may be over twenty-one years of age. I do not wish this measure to fall short of the liberality of that law.

Mr. PUGH. I know that; but the pre-emption law is the law of payment, and that is the reason for it.

Mr. WILKINSON. I do not know that I exactly understand the meaning of the Senator. If he means only that this restriction would have the effect of preventing frauds, I can readily answer him. So far as my experience has gone, young and unmarried men have been found no more efficient in robbing the Government of its lands by fraud than some older men and heads of families. My impression is, that their honesty is quite equal to the average honesty of the old men. Perhaps they have not lived long enough to become so hardened in iniquity as to enable them to take a pre-emption oath without foundation for it. Their elders sometimes set the example.

Mr. PUGH. This is the idea: the head of a family, who has or may have his family with him, will very often—I will not say in every case—make a *bona fide* settlement, and go upon the land; but in the case of young men, who have no fixed residence, a majority of their settlements to-day, under the pre-emption law, are colorable. It is an ascertained fact that a majority of them are colorable. They merely take the lands to sell them again, and that is the way they get into the hands of speculators. They do not get it at public sale, but get it by colorable pre-emptions.

Mr. WILKINSON. The Senator strengthens my position. My argument is, that our present practice encourages a violation of the law. His objection, I repeat, would apply equally to any married men who might choose to avail themselves of a looseness in the law.

Mr. PUGH. No doubt, in some cases.

Mr. WILKINSON. But the Senator does not yet seem to appreciate the full force of the idea. In advance of settlements, men *cannot* take their families into the wilderness. They could not endure the necessary hardships. By offering inducements to young men, we shall secure the opening up of the wilderness, the building of cabins, and the planting of first crops. As settlements increase, the facilities for obtaining wives will increase with them.

But to resume, I have said that I object to the Senate bill, because it will operate unjustly in regard to our foreign population.

The Senator from Tennessee, [Mr. NICHOLSON,] in his recent speech in support of that bill, used the following language:

"The bill matured by the Senate committee, and now before the Senate, is relieved of 'these objectional provisions, and to that I 'shall confine my remarks.

"It provides that any person who is the head 'of a family, and a citizen of the United States, 'or who shall have filed his intention to become 'a citizen in pursuance of our naturalization 'laws, shall have the right to enter one quarter 'section of the unappropriated public domain; 'but, in exercising this right, such person is to 'be restricted to those lands that have been 'surveyed, proclaimed, and offered for sale, and 'are consequently subject to private entry under existing laws."

With all respect for the Senator, I must beg to correct the error in this statement of fact. The bill does not declare that any person "who shall have filed his intention to become a citizen, in pursuance of our naturalization laws," shall have the right to enter lands under its provisions. And here I rest my complaint; here I find another act of palpable injustice. The first section of the Senate bill is as follows:

"That any person who is the head of a 'family, and a citizen of the United States, 'shall, from and after the passage of this act, 'be entitled to enter one quarter section of vacant and unappropriated public lands, or a 'quantity equal thereto, to be located in a body, 'in conformity with the legal subdivisions of 'the public lands, and after the same shall have 'been surveyed."

This section distinctly and expressly limits the application of the bill to the citizens of the United States. It would entirely exclude all those persons who may emigrate to this country from a foreign land after the passage of the bill, until they shall have resided in the United States for five years, and until they shall have become citizens thereof.

Mr. WIGFALL. I ask the Senator, in a word, does he propose to give away the public lands to persons who are not citizens of the United States?

Mr. WILKINSON. I propose to make the bill precisely as broad as the pre-emption act now is; to extend its benefits to all foreigners who may declare their intentions to become citizens of the United States. I wish to do nothing more; I believe that it would be unjust to do anything less. Twenty years ago, Congress, in the passage of the pre-emption act, adopted the measure of placing foreigners who had declared their intentions to become citizens of the United States on an equality (so far as

the land laws were concerned) with the native-born citizen. This system was dictated, not only by an exalted sense of national liberality, but also by a wise desire on the part of the Government to invite, foster, and encourage, emigration from Europe. I argue, that twenty years of beneficial experience should be amply sufficient to confirm in our minds the evident advantages of the established policy. During that time, we have been furnished with the most abundant proofs of the loyalty of this class of our people. Why should we now begin to make any oppressive restrictions in regard to them? Who can now pretend to dread their influence? Who can pretend, in the face of a long and convincing experience, to fear the effects of their emigrating hither? What new reason has been discovered, that should check the influx of this foreign population? Let us question the record; let us summon history to produce her testimony in regard to our foreign population. There has been no battle-field from Maine to Mexico that is not red with the blood of foreigners shed in defence of American liberty! Wherever our flag has been borne victoriously in battle, there the heart of the foreigner has throbbed beneath its folds! There he has stood shoulder to shoulder with the native-born, hoping the same hopes, bearing the same dangers, struggling for the same ends, and exulting in the same triumphs. Whenever we have conquered new territory from an enemy, his bones lie thickly scattered beneath it.

The Senator from Mississippi, [Mr. DAVIS,] who has honorably and ably filled the position of Secretary of War, can tell, from the annals of his Department, how true that class of our population has been in time of war. The whole flourishing West—indeed, the whole country—can attest how useful they have been in time of peace. The foreign population! Stretching outward and wesward from our sea-port towns, bearing the will to toil and the energy to secure success, that population has marched steadily on with the incessant and irresistible tread of a great destiny. It has gone into the silence of the primeval forests, and the axe of the woodman has made music in the solitude; and happy homes have smiled throughout the wilderness. It has plunged into the depths of the marshes; and millions of acres have been reclaimed from sterility and won to cultivation. Everywhere it has assisted in creating villages, towns, and cities, in its luminous path.

Wherever American art has triumphed, or American civilization has been clearly established, there you will find the history of our foreign population, not written in perishable or lying records, but stamped—indelibly stamped—in characters of deed and action, upon the progress and civilization of a mighty national existence. These foreigners who have become citizens—these men who have accomplished so much—have only paved the way for those who are to come after them. Their friends and relatives in other lands, hearing of their success, are constantly pouring in upon our shores. It has been our policy hitherto to assist in every way this influx of emigration, and the consequences are before us, in our present prosperity and greatness. Shall we prove untrue to our past? Shall we give the lie to experience and to philosophy? In one word, shall we retrograde? I sincerely hope that such may not be our decision. I trust faithfully that we may continue to advance; that we may understand the past to be our best guide for the future; and that we may still encourage a constant emigration from the Old World to the New. But in this hope we are met and resisted by the present Administration. The Secretary of the Interior, in his last annual report, in speaking of the homestead measures, takes occasion to say:

"Should, however, the new policy of a *gra-*
'*tuitous* distribution of the public lands be
'adopted, it is evident, that while *an undue*
'*stimulus would be given to emigration*, land
'bounty can no longer be held out as an in-
'ducement to future military service."

The Secretary of the Interior here expresses his fears that an undue stimulus may be given to foreign emigration. Now that the nation has grown strong and great, this high functionary would coldly turn away from the descendants of those who in our infancy contributed from their blood and treasure to the establishment and maintenance of a free Government on this continent. The Republic will deserve to be called "ungrateful," in the worst sense of that despised word, when it can be brought to adopt such a suggestion.

The Secretary calls the homestead proposition "*a new policy.*" How is it new? Has it not often been considered? Has it not known its earnest and able advocates under this Government? And have not other Governments frequently availed themselves of the advantages resulting from free grants of land to actual settlers? The "new policy," so recently discovered by the honorable Secretary, has been an ancient institution in many nations of the world. I will read an extract from a decree of the Republic of Colombia, dated June, 1823:

"The Senate and House of Representatives
'of the Republic of Colombia, united in Con-
'gress, considering—

"1. That a population, numerous and pro-
'portionate to the territory of a State, is the
'basis of its property and true greatness;

"2. That the fertility of the soil, the salu-
'brity of the climate, the extensive unappropri-
'ated lands, and the free institutions of the
'Republic, permit and require a numerous emi-
'gration of useful and laboring strangers, who,
'by improving their own fortunes, may aug-
'ment the revenues of the nation—have de-
'creed:

"That foreigners emigrating to Colombia
'shall receive gratuitous donations of land, in
'parcels of two hundred fanegas (about four
'hundred acres) to each family."

I find another and a more remarkable instance, occurring in a heathen country, and under a despotic rule. I will quote from a proclama-

tion of the King of Persia, made through his ambassador, and dated London, July 8, 1823:

"Mirza Mahomed Saul, Ambassador to Eng-
'land, in the name and by the authority of Ab-
'bas Mirza, King of Persia, gratuitous grants of
'land, good for the production of wheat, barley,
'rice, cotton, and fruits, free from taxes and
'contributions of any kind, and with the free
'enjoyment of their religion; *the King's object*
'*being to improve his country.*"

Thus it would seem that our Secretary of the Interior might have taken lessons in statesmanship from the young Republic of Colombia, and that he would hardly have been equal to the duties of a Cabinet officer, even under a heathen King of Persia. I can only regret that the honorable Secretary, for the sake of his position, did not look more closely into the history of his own and other countries before venturing upon the assertion that this was a "new policy."

Is it in consequence of Executive opposition that the authors of the Senate bill have been induced to give it such a form, that it would operate unequally as to foreigners, and thus retard, rather than encourage, emigration? I hope that, in this regard, the provisions of the House bill may be adopted—that all those who are now residents, and those who may hereafter become such, who are willing to abjure allegiance to their former princes, and declare their intention to become citizens of the United States, may be permitted to enjoy all the rights under our proposed grant which are to be extended to the native-born citizens of the United States.

But, sir, I have another and third objection to the Senate bill, which, to me, is of more immediate importance than any to which I have yet alluded; and that is, that it applies only to lands subject to private entry. Under the present land laws, no lands are subject to private entry until after they shall have been surveyed, brought into market, advertised, and offered for sale at public auction. Then the capitalist is allowed to come in and purchase whatever portions may suit his convenience. The experience of the West goes to show that settlements are in advance of the surveys of the public lands.

The first settlements in a new State or Territory have usually been made some years before the land has been offered for sale at public auction; and when such sale takes place, the settlers are either obliged to suffer their homes to be put up at auction, and sold by the Government, or to pre-empt, enter, and pay for the same at the Government price, before the day of such sale. The hardship and oppression of this stern rule were vividly portrayed by the Senator from Mississippi, [Mr. BROWN,] when he was a member of the House of Representatives. He then said:

"Look, sir, at this scene; gaze on that sun-
'burnt patriot, for he is worthy of your admira-
'tion. Now go with me one step further, and
'behold the destruction of all these fairy vis-
'ions; blighting seasons, low prices, disease, a
'bad trade, or some unforeseen disaster has
'overtaken him. His year of honest industry
'is gone—the time has come when Government
'demands her pay for this poor man's home.
'He is without money. Government, with a
'hard heart and inexorable will, turns coldly
'away, and the next week or the next month
'she sells *her* land, and this man's labor, his
'humble house and little fields, are gone. The
'speculator comes, and with an iron will turns
'him and his family out of doors; and all this
'is the act of his own Government—of a Gov-
'ernment which has untold millions of acres of
'land. Now, Mr. Speaker, let me ask you, can
'this man love a Government that treats him
'thus? Never, sir, never. To do so, he should
'be more than a man, and scarcely less than
'God. Treatment like this would have put out
'the fire of patriotism in *Washington's* breast,
'and almost justified the treachery of Ar-
'nold."—*Speeches and Writings of Hon. A. G.*
'*Brown, p.* 196.

As the Senate bill now stands, the hardy and energetic pioneers, be they native or foreign born, are entirely cut off from all advantages; because these men, going in advance of your surveys, are obliged under all such discouraging circumstances to pay for their little homes at once, or have them sold by the Government; while the weak, indolent, and shiftless, who follow in the train of these fearless adventurers, are rewarded with a free home.

In my own State, where there are millions of acres of unoccupied public lands, subject to pre-emption, there are no lands of any value which are subject to private entry. The Senate bill, therefore, would be entirely inoperative there; and when the public sales should take place, all the most valuable lands would be bought up by greedy speculators; and the real objects contemplated by the friends of this measure would be defeated under the Senate bill.

I am free to say, that if this provision is to be retained, the whole bill, so far as any practicable benefits expected to arise from it are concerned, might as well be rejected at once. Nothing valuable will be left, save and except the mere recognition of the principle itself. We would establish a glittering show, containing nothing of real merit.

Mr. President, the friends of the homestead measure want a practical bill; they want an operative bill; they want, in plain words, an *honest* bill, which will accomplish, in fact, the things which it assumes to maintain in theory.

I have, Mr. President, one last objection to the Senate bill. It contains a clause limiting the application of the bill to alternate sections of the public lands. I regard this provision as particularly objectionable, because it seems to me to be dictated by a desire on the part of the Government to make the energy and enterprise of the people a subject of speculation. This objection also applies to the amendment of the Senator from Indiana. Besides this, it would place the settlers who may select their new homes under the provisions of

the act, at a distance from each other, and, consequently, add much to the embarrassments of new settlements on the frontier. I do not approve of any system of Government speculation in the public land—most of all do I dislike the idea of so fashioning this bill, of so limiting and restricting the application of this so-called liberal measure, that the Government may be able to gorge its Treasury from the sale of lands, the market value of which has been greatly enhanced by reason of the settlements around them.

When we reflect that the first settlers of a country are those who are obliged to build the school-houses and churches; to cut out and establish roads, and construct bridges—in short, to start and create everything that is essential and necessary to the happiness of a civilized people—we can readily understand how much more arduous these labors become in consequence of the remoteness of neighbors. Municipal and social exigencies demand that settlements should be condensed as much as possible.

If the public lands are to be thrown open at all, let the whole mass of them be thrown open to the operations of the homestead measure, as the House bill provides.

Mr. President, the bill which has passed the House, and which has been reported here in the Senate, comes to us free from all these objections. It seeks to carry out the true objects and purposes of this wise policy. It places before the people this measure, full and broad in its application, making no unjust distinctions as to persons; no unwise and illiberal limitations as to the kind of lands to be affected by its provisions. I would much prefer its adoption; but if we cannot accomplish this result in fact, if the Senate is determined to reject the House bill, I shall endeavor to approach the same end through amendments which I shall propose. If they should be rejected, either in part or in the whole, I may feel inclined to support the Senate bill as it is; and, though far from being content with its provisions, may be disposed to vote for the simple recognition of a principle.

Mr. President, the Senator from Tennessee [Mr. JOHNSON] has spoken of this question as being above and beyond all party issues. I agree with him in this. I believe the measure to be higher, far higher, than party or partisan claims! It appeals directly to the great heart of the nation. It is the measure of the working, suffering class of our people; those who are struggling on from day to day, from week to week, and from year to year, vindicating the dignity of labor against the oppressions and aggressions of capital. It will be welcomed by those who are ever-patient, ever-enduring, ever-vigorous, and ever-hopeful. Why, then, should any gentleman attempt to narrow it down to some imaginary rule of party platforms? Why should any vile spirit of sectionalism enter into it, to mar its beauty, or destroy its usefulness? Cannot the wisdom, the humanity, and lofty statesmanship of all parties be combined in support of a general principle, which history, experience, and common sense, proclaim to be just and proper?

The views of politicians should be modelled to suit the interests of the people, not the interests of the people to suit the views and wishes of fickle and time-serving partisans. Too much of the time of the National Legislature has, for the last few years, been expended in fighting mimic battles over vague abstractions, while too little has been employed in defence of acknowledged rights. For my part, I sustain a homestead bill, because I honestly and truly believe it to be just and wise, and calculated to promote the happiness and prosperity of the great mass of our people. The study of the true interests of the people should be our only object. I feel it to be my duty, as a Senator and legislator, to work in the cause of a great national necessity; and I shall be most happy to see all parties united in the enterprise.

But if the gentlemen on the other side of the Chamber shall choose to regard this measure as sectional and undemocratic; if they shall determine that they cannot reconcile it with their party faith; if they, or any considerable number of them, shall oppose it upon sectional or party grounds—then they, and they alone, will have made the issue; and then I apprehend that those with whom I have the honor to act politically will be ready to meet it.

Then it will go upon the record—it will be spread before the country—that the Democratic party resisted and defeated the liberal policy of a *homesteaid* bill! While it will also, I trust, be fixed upon the record of Congress, that the Republican party was neither ashamed nor afraid of the measure of granting free homes to the actual settlers upon the public lands. I repeat, I do not desire to see this made a party question; and it rests entirely with Democratic Senators to produce this result, or not to produce it.

May we not hope that this policy may be perfected and adopted, in a spirit of harmony and good will? May we not cherish the fond expectation, that no disturbing sectional ideas shall be allowed to corrupt the infancy of so pure a measure? It should be cradled in the lap of peace; it should receive its nurture and support from the kindly feelings of all sections of the country, because it is for the common benefit of the whole country.

Standing upon his own soil, the settler rises to the full dignity of manhood. He is independent from the hour in which he becomes the owner of a free farm—independent of everything, except his country and his God. Open up your domain to him, give him a home out of the vast abundance of your lands, and you will have found the surest method for the perpetuation of your Government. You will have sanctified his patriotism. He can never prove untrue to the Constitution and to the laws, while he, his wife, and his children, are enjoying the blessings of a free home, under the protection of that Constitution and those laws.